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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,933	05/08/2006	Stephen Townsend	GB03 0201 US1	4533
65913	7590	04/01/2009	EXAMINER	
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			NGUYEN, NGA X	
			ART UNIT	PAPER NUMBER
			3662	
			NOTIFICATION DATE	DELIVERY MODE
			04/01/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/578,933	Applicant(s) TOWNSEND ET AL.	
	Examiner NGA X. NGUYEN	Art Unit 3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/11/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemen (20070230545) in view of Brown (5379224).

With regard to claim 1, 9, 17-20, Lemen discloses:

- GPS antenna, RF section (see Fig.1)
- A processor for outputting the GPS signal samples together with ancillary and/or the GPS signals which relate to the GPS receiver and contain IF signal which remains modulated (see page 3, paragraph 39)
- Wherein the ancillary information allows GPS signal processing software to adapt to characteristics of the GPS receiver (see page 3, paragraph 37-39)

Brown teaches:

- A GPS antenna and GPS RF front-end including an A/D converter for sampling received GPS signals (see column 5-6, lines 8-30)
- Wherein the resulting GPS signal samples contain an IF signal which remains modulated (see column 5, lines 30-57).

It would have been obvious to modify Lemen by incorporating the teaching of Brown's device RF front end including AD converter and the device output signals remained IF

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and modulated so as to provide the user GPS signals for processing and performing position information.

With regard to claim 2-6, Lemen teaches that the GPS signal samples and ancillary information are outputted to an external device. Wherein the ancillary information relating the type or identity, GPS signal of the GPS receiver (see page 3, paragraph 39)

With regard to claim 8, Brown teaches that a user input means with which the user is able to directly select one of a plurality of operating modes of the GPS receiver (see column 7, lines 1-15)

With regard to claim 10, Lemen teaches that the GPS signal is a spread spectrum signal and wherein the ancillary information is used to assisted depreading of the GPS signal (see page 3, paragraph 39).

With regard to claim 11, Lemen teaches the GPS signal samples and ancillary information are received from an external device (see page 39, paragraph 39)

With regard to claim 12 -14, Lemen teaches that the GPS signal samples and ancillary information are outputted to an external device. Wherein the ancillary information relating the type or identity, GPS signal of the GPS receiver (see page 3, paragraph 39)

With regard to claim 15, Lemen teaches that the ancillary information relating to the GPS samples received/output by the GPS receiver (see Fig.1)

With regard to claim 7 & 16, Lemen teaches that the ancillary information includes either the outputted GPS signal carrier frequency or bandwidth, the GPS signal sample format, rate or resolution, the image sign, the oscillator type or oscillator stability parameters, or antenna type (see page 4-5, paragraph 49-55).

Response to Amendment

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGA X. NGUYEN whose telephone number is (571)272-5217. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TARCZA H. THOMAS can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner
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NXN

/Thomas H. Tarcza/

Supervisory Patent Examiner, Art Unit 3662